

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 1/3/22

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
WCA HOLDINGS III, LLC,	:	
	:	
Plaintiff,	:	1:20-cv-7472-GHW
	:	
-against-	:	<u>ORDER</u>
	:	
PANASONIC AVIONICS CORPORATION,	:	
	:	
Defendant.	:	
	:	
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GREGORY H. WOODS, District Judge:

On September 29, 2021, the parties filed a joint letter requesting a referral to mediation and that the matter be stayed pending resolution of the mediation. Dkt. No. 52. The Court granted that request. Dkt. Nos. 53, 54. Because the case was stayed to permit the parties to engage in efforts to resolve the case through mediation, the Court set aside all work on the parties' pending motion to dismiss. In accordance with the Court's September 29, 2021 Order, Dkt. No. 53, the parties filed a letter on December 21, 2021 providing an update regarding the status of the case. Dkt. No. 55. In that letter, the parties informed the Court that they anticipated that their settlement discussions would continue with the assistance of the mediator. The parties also wrote that they intended "to submit a separate letter motion requesting that the Court's stay of discovery and other pre-trial deadlines remain in place until the Court issues a decision on the motion to dismiss." *Id.* No such letter has been submitted since the date of the parties' joint letter.

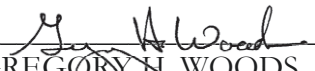
Accordingly, the Court requests that the parties submit a joint letter to the Court no later than January 7, 2022. The letter should address the following questions. First, are the parties seeking for the Court to retain the stay of the case pending their continued efforts to resolve the case through mediation? By noting their intention to seek a stay for a different purpose, the parties imply that a stay for that purpose is no longer appropriate. If the parties do not believe that a stay is appropriate to

permit the parties to focus on their efforts to settle the case, the parties should inform the Court.

Second, are the parties seeking a stay of discovery pending resolution of the motion to dismiss? If so, the parties should provide the basis of the request, informed by applicable law, and the history of this case—in particular, the fact that discovery was not previously stayed pending briefing and resolution of the motion to dismiss.

SO ORDERED.

Dated: January 3, 2022
New York, New York



GREGORY H. WOODS
United States District Judge